

RECEIVED
CENTRAL FAX CENTER**FITZPATRICK, CELLA, HARPER & SCINTO**

650 Town Center Drive
Suite 1600
Costa Mesa, California 92626-7130
(714)540-8700

NOV 17 2005

Facsimile:(714)540-9823

FACSIMILE COVER SHEET

TO: Examiner T. No
Group Art Unit 2142

FROM: Michael K. O'Neill

RE: U.S. Application No. 10/017,438
Atty. Docket No.: 03630.000325

FAX NO.: (571) 273-8300

DATE: November 17, 2005

NO. OF PAGES:
(including cover page)

TIME: 3:48

SENT BY: *DM*

MESSAGE

Attached is a Response and Request for New Office Action in response to the Office Action dated October 25 2005.

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

November 17, 2005
(Date of Deposit)

Michael K. O'Neill, Reg. No. 32,622
(Name of Attorney for Applicant)

Michael K. O'Neill November 17, 2005
Signature Date of Signature

**IF YOU DO NOT RECEIVE ALL THE PAGES
PLEASE CALL 714-540-8700 AS SOON AS POSSIBLE.**

Note: We are transmitting from a Canon Model FAX-L770
(compatible with any Group I, Group II or Group III machine).

THIS FACSIMILE MESSAGE AND ACCOMPANYING DOCUMENTS ARE INTENDED ONLY FOR THE USE OF THE ADDRESSEE INDICATED ABOVE. INFORMATION THAT IS PRIVILEGED OR OTHERWISE CONFIDENTIAL MAY BE CONTAINED THEREIN. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, REVIEW OR USE OF THIS MESSAGE, DOCUMENTS OR INFORMATION CONTAINED THEREIN IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR FACSIMILE AND MAIL THE ORIGINAL TO US AT THE ABOVE ADDRESS. THANK YOU.

RECEIVED
CENTRAL FAX CENTER

03630.000325

NOV 17 2005
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
 NEIL Y. IWAMOTO, et al.) Examiner: Thong H. Vu
 Application No.: 10/017,438)
 Filed: December 5, 2001)
 For: DEVICE ACCESS BASED ON)
 CENTRALIZED) November 17, 2005
 AUTHENTICATION)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450.

RESPONSE
 AND
REQUEST FOR NEW OFFICE ACTION

Sir:

This is a response to the Office Action dated October 25, 2005 in the above application.

A new Office Action is respectfully requested, for the reason that the instant Office Action contains defects such that Applicants are unable to understand the nature of the rejections entered against the claims. At least three defects are asserted.

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:

November 17, 2005
 (Date of Deposit)

Michael K. O'Neill, Reg. No. 32,622
 (Name of Attorney for Applicant)

Michael K. O'Neill
 November 17, 2005
 Signature Date of Signature

First, in entering an obviousness-type double patenting rejection of Claims 1 to 16, there Office Action cites to claim language that is inaccurate and does not form part of the pending claims.

Second, and in connection with the same obviousness-type double patenting rejection, the Office Action entered a rejection over Claims 1 to 18 of co-pending Application No. 10/309,884 ("the '884 application"). However, in entering the rejection, the Office Action provides incorrect claim language for the current form of Claim 1 in the '884 application. Indeed, it is respectfully stressed that not all of Claims 1 to 18 of the '884 application are still pending.

As a result of these defects, Applicants are unable to understand the nature of the obviousness-type double patenting rejection entered against Claims 1 to 16, and indeed are not even certain that current claim language has been acted upon.

Likewise, the Office Action enters a rejection of Claims 1 to 16 for anticipation under § 102(e). However, in entering this rejection, the Office Action provides incorrect claim language for the claims, such that Applicants are unable to understand the rejection entered against the claims and are not even certain if the current claim language has been acted upon.

The same is true for the rejection of Claims 1 to 16 for obviousness under § 103(a).

In view of the foregoing defects, Applicants are unsure of the nature of the rejections against the claims, and consequently are unsure of how to formulate a suitable response. A new Office Action is therefore respectfully requested.

It is further respectfully requested to reset the period for response,
commencing with the mailing date of the corrected Office Action.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,



Attorney for Applicants
Michael K. O'Neill
Registration No.: 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 105173v1